

**THE GREATER HARRODSBURG/MERCER COUNTY
PLANNING AND ZONING COMMISSION
109 Short Street
Harrodsburg, Kentucky 40330
(859)-734-6066**

Date: January 3, 2006

MINUTES

1. Chairman Upchurch called the meeting to order:

A. Roll Call of Commission Members:

Commissioners Present:

Robert Lewis
Bob Upchurch
Rosetta Johnson
Boone Logan
John Goodlett
Bill Randolph

Staff Present:

David Patrick, Attorney
Shawn Moore, ZAO

B. Previous minutes of December 5, and December 8, 2005.

A motion was made by Commissioner Johnson and seconded by Commissioner Logan to approve the minutes of December 5, and December 8, 2005 as submitted. All commissioners voted in the affirmative by role call vote. Motion carried.

2. OLD BUSINESS:

1. Map Amendment Request (Zone Change) – submitted request by Phillip Gilbert to re-zone the property located at 214 Moreland Avenue in Harrodsburg, Kentucky consisting of .679 acres. The zoning map indicates this property is zoned R-2 (High-Density Residential). The proposed zoning map amendment is to B-2 (General Business). Chairman Upchurch reported that the City of Harrodsburg returned the previous no recommendation decision to the Commission for further action. A motion to close the business meeting and open a public hearing was made by Commissioner Logan and seconded by Commissioner

Randolph. Motion carried. Gary Joy from Louisville, Kentucky, representing CVS, was present and after being sworn in, presented testimony as to the nature of his request. Mr. Joy stated that CVS would be making a substantial improvement to the property with its planned \$3.5 million building. Vance Smith, a local pharmacist at the current CVS on Chiles Street in Harrodsburg, was present and after being sworn in, spoke in favor of the zone change and presented photographs of how CVS has landscaped its property in Campbellsville. He also stated that he receives many complaints from local customers that there is no drive-thru at the current store. John Tarter, an attorney who practices in Louisville, Kentucky, and relative of adjoining property owner, Melvina Cheatham, was present and after being sworn in, spoke in opposition of the zone change due to the concern of heavy traffic flow in the area and that all aspects of the land use plan needed to be studied and researched more carefully. Robert Day, who resides at 208 Moreland Avenue was present and after being sworn in, also spoke in opposition of the zone change due to the concern of heavy traffic flow in the area and a decrease in property value of his residence. Helen Dedman, who resides at 618 Beaumont Inn Drive, representing The James Harrods Trust, was present and after being sworn in, spoke about the concern of the historic preservation of the Brumback house, which was built in the early 1900's. She also voiced concern regarding the historic significance of the Harrodsburg and Graham Springs that are surrounded by rock walls on the Brumback property. Dedman stated a historic marker notes the site of the springs.

Robert Goodman, who resides at 1064 Riverside Drive, was present and after being sworn in, spoke in favor of the zone change due to the possibility of a drive-thru pharmacy, especially for the elderly persons in the community. He also stated that the zone change would improve the appearance of the existing corner of Mooreland Avenue and College Street. Harriett Ruby, who resides at 528 Beaumont Avenue, was present and after being sworn in, spoke in opposition of the zone change due to the possibility of heavy traffic backups and accidents at the intersection of Mooreland Avenue and College Street. Martha Warner, who resides at 1303 Warwick Road, was present and after being sworn in, spoke in opposition of the zone change due to the poor location of the proposed CVS. She stated there were other locations that could be more easily accessed by the community. Melvina Cheatham, who resides at 416 Chestnut Street, was present and after being sworn in, spoke in opposition of the zone change due to the concern of noise, pollution, heavy traffic, and loss of property value. She also stated that she has lived at her residence for 33 years. Carol Dean Walters, who resides at 345 Dixie Manor, was present and after being sworn in, spoke in opposition of the zone change due to the concern of increased traffic and how this will affect the adjoining property owners and the community.

With no further testimony received, a motion to close the public hearing and reopen the business meeting was made by Commissioner Lewis and seconded by Commissioner Johnson. Motion carried. A motion was made by Commissioner Logan and seconded by Commissioner Randolph to table this zone change decision for a special called meeting on January 17, 2006 at 5:00 p.m. to allow the commission to further review and reflect on the testimonies and staff findings regarding this zone change. Roll call vote was unanimous. Motion carried.

3. NEW BUSINESS:

Consent Agenda (Minor Plats)

1. **Minor Plat** – submitted by Buck Owsley on behalf of Belinda Weeks for the purpose of off-conveying a 2.51 acre tract of land located on Bruners Chapel Road in Mercer County, Kentucky. The zoning map indicates this property is A-2 (Agricultural). A note was made by the commission that Kevin Weeks signature was not on the submitted plats. The Weeks are currently divorced. A motion was made by Commissioner Lewis and seconded by Commissioner Logan to approve the plat as submitted with the following corrections: (a) A quit claim deed be produced or (b) the signature of Kevin Weeks be obtained on all submitted plats. Roll call vote was unanimous. Motion carried.

Major Plats

1. **Final Plat Amendment** – submitted by William Chapman for the purpose of amending lots 1 and 2 of the Collier's Point Subdivision located on Paradise Camp Road in Harrodsburg, Kentucky. The zoning map indicates this property is zoned R-2 (Residential). A motion was made by Commissioner Lewis and seconded by Commissioner Logan to approve the plat as submitted with the addition of signatures of both owners be obtained on all submitted plats. A note was made that both owners live out of state. Roll call vote was unanimous. Motion carried.
2. **Site Plan** – submitted by Austin Bee for the purpose of gaining approval for the construction of 2 mini-storage buildings on Lot #12 of the Kelly's Highway Commercial Property located on Nichols Road in Harrodsburg, Kentucky. The zoning map indicates this property is zoned B-3 (Central Business). A motion was made by Commissioner Johnson and seconded by Commissioner Logan to approve the following plat as submitted. Roll call vote was unanimous. Motion carried.

4. COMMUNICATION-BILLS-PERSONNEL:

1. Treasurers Report – Financial Statement (December 2005)

A motion was made by Commissioner Goodlett and seconded by Commissioner Logan to accept the December 2005 Commission's financial statements. The financial statements included a December 2005 P&L, a Balance Sheet through December 31, 2005, a Fiscal Year-to-Date P&L report and a Fiscal Year Second Quarter P&L report. Motion unanimously carried.

2. List of Unpaid Bills – A list of unpaid bills was presented to the commission for approval. A motion to pay the bills was made by Commissioner Logan and seconded by Commissioner Lewis. Motion unanimously carried.

3. ZAO Report – Shawn Moore

a) **Letter to Commission from Brad Guthrie re: Hahn Permit Refund Request** – Shawn Moore presented to the commission a letter from Attorney Brad Guthrie regarding a building permit refund request for permit #05-075 on behalf of Norman & Teresa Hahn on Carl Lay Lane. A motion was made by Commissioner Lewis and seconded by Commissioner Goodlett to deny the permit refund request. Motion unanimously carried.

b) **Update on Commission Sign for City Hall** – Shawn Moore presented to the commission more quotes and dimensions for the proposed signage for City Hall. A motion was made by Commissioner Logan and seconded by Commissioner Goodlett to approve a 14x34 sign for City Hall in the amount of \$967.00. Motion unanimously carried.

c) **Appointment of Regional Planning Council Member for Bluegrass Area Development District** – The commission appointed Commissioner Lewis to represent the Commission at the next scheduled Regional Planning Council meeting at the Bluegrass Area Development District Office in Lexington in addition to the Zoning Administrative Officer on January 4, 2006.

d) **Request for Building Permit Refund – Barbara Steger Permit #05-197** – Shawn Moore presented to the commission a building permit refund request on behalf of Barbara Steger on 805 Fairview Road. Ms. Steger requested the refund due to a change that has determined that they would not build on the site the permit was issued to. A site visit by staff indicated that no construction had taken place. In accordance with the Fee Schedule, a \$40.00 administrative fee would be withheld from the refund if approved. The original permit amount

collected was \$195.40. A motion was made by Commissioner Lewis and seconded by Commissioner Logan to refund permit #05-197 to Barbara Steger in the amount of \$155.40. Motion unanimously carried.

- e) **Resolution to Waive Permit Fees on Fire and Natural Disaster Damaged Structures** – This item will be carried to the February 06, 2006 meeting.

4. Attorney's Report – David Patrick

Staff Attorney Patrick notified the commission of the training seminar presented by David Pike, with Pike Legal Group. The seminar will be held this month in Lexington, Kentucky at the Radisson Hotel. The following commission members will attend for the training seminar: Commissioner Johnson, Lewis, Goodlett and Logan. Attorney Patrick also stated that he had contacted the training supplier and that they had agreed to reduce the registration fee from \$339.00 to \$314.00 per person as a group discount. A motion was made by Commissioner Logan and seconded by Commissioner Johnson to pay fees for those attending the training seminar at \$314.00 per person and reimburse the Commissioners for meals and travel. Motion unanimously carried.

5. Executive Session – A motion was made by Commissioner Lewis and seconded by Commissioner Logan to go into executive session for the purpose of reviewing the six month probationary period for the Zoning Administrative Officer by the personnel committee, which ended on January 2, 2006. Motion unanimously carried.

A motion was made by Commissioner Logan and seconded by Commissioner Lewis to come out of executive session. Motion unanimously carried.

A motion was made by Commissioner Logan and seconded by Commissioner Johnson to increase the base salary of the Zoning Administrative Officers salary from \$30,000 to \$33,600 effective 01/02/06, based upon the completion of his six-month probationary period and his performance. This increase represented a 12% increase in wages. Motion unanimously carried.

With no further business before the commission, a motion was made by Commissioner Logan and seconded by Commissioner Lewis to adjourn the meeting. Motion unanimously carried. The meeting adjourned at 7:50 pm.